Notice of Allowability	Application No. 09/622,560	Applicant(s) RAKHIMOV
	Examiner Leigh McKane	Art Unit 1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.

2. ☒ The allowed claim(s) is/are *1-7*.

3. ☒ The drawings filed on *18 August 2000* are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
   1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Leigh McKane
Primary Examiner
Art Unit: 1744

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 2:

In numbered line 23, "8,2" should be –8.2--.

In numbered line 2 (second page of claim), "16,0" should be –16.0--.

In numbered line 16 (second page of claim), insert –internal—before "chamber (2)".

In numbered line 19 (second page of claim), insert –internal—before "chamber (2)" and change "energized element" to –means for generating energy--.

In numbered line 21 (second page of claim), change "energized element" to –means for generating energy--.

In numbered line 22 (second page of claim), insert –internal-- before "chamber (2)".

In numbered lines 23 and 24 (second page of claim), change "energized element" to –means for generating energy--.

In numbered line 26 (second page of claim), insert –internal-- before "chamber (2)".

In claim 3:

Change change "energized element" to –means for generating energy--.

In claim 5:

In line 2, change "energized elements" to –means for generating energy—and in line 3, insert –internal-- before "chamber (2)".

In claim 6:

Change "Claims 2 and 5" to –Claims 2 or 5—and insert –internal—before "chamber (2)".

Abstract

Delete the abstract and insert the abstract on page 6 therefor.

2. ***Comments***

The amendments to the numbers in claim 2 merely correct typos.

The amendments adding the term "internal" before "chamber (2)" help to clarify the difference between chamber (2) and the external chamber.

The amendments changing "energized element" to "means for generating energy" have been made so as to make the terminology consistent with that used in numbered lines 15 and 17 of claim 2.

The amendment to the dependency of claim 6 corrects an improper multiple dependency.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: Kawagoe et al (U.S. Patent No. 5,820,821) teaches a sterilizer using two IR radiators **5** (Figure 1). Kawagoe et al

does not disclose that the IR radiators emit at different wavelengths or that one IR radiator emits pulse radiation. Both of the Rakhimov et al references (U.S. 5,350,927 and 5,472,720) teach IR sterilizers wherein two IR radiators may be employed which each emit IR radiation of a different wavelength. See col.3, lines 15-28 of 5,350,927 and col.3, lines 13-25 of 5,472,720. However, both of the Rakhimov et al references are silent to an element which emits pulsed IR radiation or to the particular claimed wavelengths. Moreover, the ceramic elements of the Rakhimov et al references have a different composition from that claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

CONCLUSION

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leigh McKane whose telephone number is 571-272-1275. The examiner can normally be reached on Monday-Wednesday (7:15 am-4:45 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 571-272-1275. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leigh McKane

Leigh McKane
Primary Examiner
Art Unit 1744

elm
9 February 2004

ABSTRACT

The present invention relates to medicine, more particularly, to methods and devices for sterilizing materials and articles. The invention makes it possible to raise sterilization efficiency by treating the materials and articles to be sterilized simultaneously with pulsed IR radiation having a wavelength in a range of 16.0-16.25 micron, at which the water contained in microorganisms vaporizes, and IR radiation with a wavelength in a range of 8.2-10.0 micron, at which the absorption of IR radiation by organic matter is maximal, with the IR radiation being directed simultaneously on all sides at the materials and articles to be sterilized. The IR radiation is produced by ceramic materials capable of absorbing energy and emitting IR radiation, with the ceramic materials being situated around a means for generating energy which consists of energized elements.